

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

DECEMBER 19, 2006

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. CONSENT AGENDA (Pages 6 - 30)

4. PUBLIC HEARINGS - 9:30 A.M. (Page 31)

5. REGULAR AGENDA (Pages 32 - 33)
TIME CERTAIN - 11:00 A.M. (Welcome to the Honorable Countess Eva Kendeffy and to Gary Schumann) (Page 32)

6. BOARD APPOINTMENTS (Pages 34 - 35)

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REGULAR AGENDA

ADMINISTRATION

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 - 5A-1 Welcome to the Honorable Countess Eva Kendeffy, Consulate General of Germany and Gary Schumann, Director of International Business Development, Enterprise Florida - **TIME CERTAIN 11:00 A.M.**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

- 1. **Staff recommends motion to receive and file:** Resolution No. R1084-06 from the Miami-Dade County Board of County Commissioners urging the Florida Legislature to amend Statutes creating the Citizens Property Insurance Corporation to eliminate statutory limitations imposed on Citizens so as to allow Citizens to more broadly and fairly distribute risk throughout the State and reduce rates, and urging other affected communities to join Miami-Dade County regarding this initiative.
- 2. **Staff recommends motion to approve:** a First Amendment to the Development Regions Round IX Grant Agreement (R2005-1271) with the West Palm Beach Community Redevelopment Agency (CRA) to extend the term of the Agreement an additional six (6) calendar months. **SUMMARY:** On June 21, 2005, the Board of County Commissioners approved the Grant Agreement for the West Palm Beach CRA (R2005-1271) for three (3) business projects: City Market-Belmat, Inc. d/b/a Lucky Supermarket, Palm Beach Yachts International, Inc. and Pleasant City Restaurant LLC. Palm Beach Yachts International, Inc. completed its project and permits are in process for the remaining two (2) businesses. This amendment will allow for extension of the construction reimbursement deadline due to a delay in starting the renovations, and extending the hiring deadlines and job maintenance requirements according to the project's deadline. These projects are located in the "Acute" (35% or higher poverty) and "Core" (20% < 35% poverty) areas of the County. District 7 (DW)
- 3. **Staff recommends motion to approve:** a First Amendment to the Development Regions Round IX Grant Agreement (R2005-1601) with the City of Belle Glade to extend the term of the Agreement an additional six (6) calendar months. **SUMMARY:** On June 21, 2005, the Board of County Commissioners approved the Grant Agreement for the City of Belle Glade (R2005-1601) for renovations of the City's property, Drawbridge Café, located at 3000 Torry Island Road in Belle Glade. This amendment will allow for extension of the construction reimbursement deadline due to a delay in starting the renovations, and extending the hiring deadlines and job maintenance requirements according to the project's deadline. Renovations will begin when the new business occupies the leased property on January 1, 2007. This project is located in a "Core" (20% to < 35% poverty) area of the County. District 6 (DW)

B. CLERK AND COMPTROLLER

- 1. **Staff recommends motion to approve:** Warrant List.
- 2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Budget Public Hearing	September 7, 2006
Workshop	September 19, 2006
Zoning	September 26, 2006
Workshop	October 24, 2006
Zoning	October 26, 2006

- 3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file: a Report of plat recordations from April 1, through September 30, 2006. **SUMMARY:** This is a summary of subdivision plats recorded during the past two (2) fiscal quarters as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. ED-0-11, governing administrative approval of plats by the County Engineer. Countywide (MRE)

2. Staff recommends motion to approve:
 - A) a Joint Project Participation Agreement with the City of Delray Beach for the installation of pedestrian countdown signals at the intersection of E. Atlantic Avenue and northbound and southbound U.S. Highway 1; and
 - B) a Budget Amendment of \$8,000 in the Transportation Improvement Fund to recognize the City of Delray Beach's participation in this project and appropriate it to Delray Beach pedestrian countdown signals.

SUMMARY: The City of Delray Beach will reimburse the County for the full cost of the material and labor involved in the installation of pedestrian countdown signals at the intersection of E. Atlantic Avenue and northbound and southbound U.S. Highway 1. Districts 4 & 7 (MRE)

3. Staff recommends motion to adopt: nineteen (19) Resolutions declaring the acquisition of property known as Parcels 13, 25 and 26, as partial takes in fee simple for right-of-way, Parcels 801 and 802 as permanent easements, Parcels 804, 806, 808, 810, 814, 814A, 815, 815A, 816, 816A, 817 and 817A, as exclusive perpetual easements, and Parcels 901 and 902 as temporary construction easements, for the improvement and construction of West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road. **SUMMARY:** This action will adopt 19 Resolutions to authorize the filing of eminent domain proceedings against 19 parcels whose total estimated appraised value is \$1,359,050. District 6 (PM)

4. Staff recommends motion to:
 - A) **adopt** a Resolution amending the special assessment roll for the 129th Avenue North from Orange Grove Boulevard south to canal paving improvement project, Section 10, Township 43 South, Range 41 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program, to reflect a decrease in the total project costs from \$63,050 to \$62,779.46, resulting in a reduction of \$270.54; and
 - B) **approve** finalization of the assessment roll for the project so the assessment payments can be processed and collected by the Tax Collector's Office.

SUMMARY: Adoption of the amended Resolution provides for the collection of fifty percent (50%) of the total project costs, or \$31,389.73. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs, are \$1,395.10 per acre. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. **Staff recommends motion to approve:** finalization of the assessment roll for the 90th Street North, from Mandarin Boulevard to canal ¼ mile west, paving improvement project (Project), Section 14, Township 42 South, Range 40 East so the assessment payments can be processed and collected by the Tax Collector's Office. **SUMMARY:** Final project costs of \$42,403 was approved by the Board of County Commissioners (Board) on February 28, 2006 (R2006-0412), provides for the collection of fifty percent (50%) of the total project costs, or \$21,201.50. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs, are \$1,430.60 per acre. District 6 (MRE)
6. **DELETED**
7. **Staff recommends motion to approve:** two (2) Letters of Understanding, one (1) from Murray Logan Construction, Inc. and one (1) from Tremron, Inc. for the work and material required to restore the Conners Highway shoulder and canal bank by piggybacking on the existing contracts they have with the Lake Worth Drainage District (LWDD) for canal restoration. **SUMMARY:** The estimated price of \$1,285,267.40, for Murray Logan Construction, Inc. and Tremron, Inc. to complete the restoration of the Conners Highway shoulder and canal bank is based on contract and associated unit prices the LWDD awarded to the above contractors. Seventy-five percent (75%) of the cost of the canal restoration will be refunded by the National Resource Conservation Service. District 6 (MRE)
8. **DELETED**
9. **DELETED**
10. **DELETED**
11. **Staff recommends motion to adopt:** a Resolution vacating a portion of that certain 10 foot wide utility easement lying within Tract "C", and a private roadway located within a portion of Tract "A", Town Commons, Plat One, as recorded in Plat Book 99, Pages 68-69, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located at the northeast corner of Lyons Road and Hypoluxo Road. The owner/petitioner is requesting the vacation in order to enhance the design of the pedestrian and residential areas of the development. District 3 (PFK)
12. **Staff recommends motion to approve:**
 - A) Amendment No. 2 to the original Project Agreement (R2006-0528), with the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) providing for a time extension until March 31, 2007, for completion of the project; and
 - B) authorization for the County Administrator or his designee to sign Amendment No. 2.

SUMMARY: Amendment No. 2 to the original Project Agreement (R2006-058) with the NRCS, will provide additional contract time for the County to complete the project. The agreement provides funding for the removal of storm damaged trees and debris from the C-1 and Corkscrew Boulevard Canals. Districts 2, 5 & 6 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** appointment of the listed law firms to the County's bond counsel rotation list from January 1, 2007, through December 31, 2008. **SUMMARY:** Appointments to the County's current bond counsel rotation list expire December 31, 2006. New appointments are recommended from January 1, 2007, through December 31, 2008. The following seven (7) bond counsel firms (or teams of firms) are recommended for appointment:

District 1 - Nabors Giblin & Nickerson, P.A.
District 2 - Hogan & Hartson LLP
District 3 - Ruden, McClosky, Smith, Schuster & Russell, P.A.
District 4 - Moyle, Flanigan, Katz, Raymond, White & Krasker, P.A.
District 5 - Greenberg Traurig, P.A./Weiss, Handler Angelos & Cornwall, P.A.
District 6 - Edwards Angell Palmer & Dodge, LLP
District 7 - Bryant Miller & Olive, P.A./Isaacs Williams & Associates, P.A.

A form Agreement for Bond Counsel and Related Services has been approved by the Board. Agreements with the appointed law firms will be brought to the Board for approval in January. Countywide (PFK)

2. **Staff recommends motion to approve:** Consent Order with the Florida Department of Environmental Protection (DEP), obligating the County to take corrective action to bring its bridge tender houses into compliance with waste discharge requirements for County bridges over the Intracoastal Waterway, and obligating the County to pay \$500 to DEP for costs and expenses incurred during DEP's investigation. **SUMMARY:** DEP has advised the County that it believes the County's current waste treatment facilities for the bridge tender houses on the County's bridges may violate Section 403.021(2), Florida Statutes and Section 62-604.130(1), Florida Administrative Code. DEP has proposed that the parties agree to a Consent Order that provides for corrective action to bring the bridge tender houses into compliance with state requirements, and for payment of \$500 to DEP for administrative costs. Countywide (ATP)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IU006-1 (R2005-2322; dated December 6, 2005) for the Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) increasing the number of units and increasing the maximum reimbursement by \$1,260 for a new total not-to-exceed amount of \$305,146. **SUMMARY:** Additional funding has been granted under the NSIP grant. This Amendment will increase the number of units from 453,561 to 457,470; and increase the new maximum reimbursement from \$303,886 to \$305,146. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide. except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Contracts with the following agencies for the period October 1, 2006, through September 30, 2007, totaling \$703,375 for services indicated:

A) Center for Family Services of Palm Beach County, Inc. - \$141,345 for Home Instruction Program for Preschool Youngsters;

B) Early Learning Coalition of Palm Beach County, Inc. - \$300,000 for subsidized child day care services;

C) Center for Information & Crisis Services/211 - \$262,030 for crisis and outreach services.

SUMMARY: On September 19, 2006, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency (FAA) Program, and subsequently adopted a budget for FY 2007 that included funds for other County sponsored programs. The contracts being recommended for approval reflect the funding amounts previously approved by the Board. Additional contracts will be forthcoming upon receipt of all required information. Countywide (TKF)

3. **Staff recommends motion to:**

A) receive and file State of Florida Department of Children and Families (DCF) Homeless Assistance Grant Contract for the period of November 1, 2006, through June 30, 2007, in the amount of \$463,500;

B) approve Contract with Adopt-A-Family for the period of December 1, 2006, through June 30, 2007, in an amount not-to-exceed \$463,500 for construction of six (6) affordable housing units; and

C) approve Budget Amendment of \$463,500 in the General Fund, Human Services.

SUMMARY: On September 12, 2006 (R2006-1894), the County Administrator or his designee was granted authority to sign the State of Florida Department of Children and Families Homeless Assistance Grant Contract. The signed contract must now be filed with the County Clerk's Office as fully executed. The grant provides the funding for construction of six (6) affordable housing units. Adopt-A-Family has been awarded the contract to construct the housing units. A Budget Amendment is needed to acknowledge the grant funding. No County funds are required. (Human Services) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to adopt:** a Resolution approving Standard Form Access Agreement, authorizing County Administrator or his designee to execute the Standard Form Access Agreement; providing for severability; providing for an effective date. **SUMMARY:** Adoption of this Resolution will allow the County Administrator or his designee to execute the Standard Form Access Agreement, which will allow for entry upon County properties leased or sold through the Department of Airports to conduct surveying, sounding, drillings, appraisals, environmental assessments and inspections in order to evaluate the condition of the property. This Agreement will also allow modification of insurance requirements contained in the Access Agreement upon advice of the Risk Management Department. Countywide (LMB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. **Staff recommends motion to approve:** In-Flight Catering Permit with Gate Gourmet providing in-flight catering services to commercial air carriers operating at Palm Beach International Airport (PBIA). The terms of the agreement are for five (5) years, commencing on January 1, 2007. **SUMMARY:** On April 17, 2001, the Board approved an In-Flight Catering Permit with Gate Gourmet for a five (5) year term (R2001-0543). Gate Gourmet is the only company performing in-flight catering service at PBIA and has provided this service beyond their contract termination date on a month-to-month basis during the negotiations and approval process for a new permit. Gate Gourmet continues to submit 7% of their gross revenues and is current with all payments. Countywide (LMB)

3. **Staff recommends motion to approve:**

A) an Agreement to purchase the following property at a total cost of \$1,370,000. Said property is located West of Runway 9L at Palm Beach International Airport (PBIA):

Frank W. Cathey, Trustee of the Frank W. Cathey Revocable Trust &
Frank W. Cathey and Cheryl C. Crane, Co-Successor Trustees of the
Virginia W. Cathey Revocable Trust
383 North Military Trail
West Palm Beach, FL 33415 Parcel W – 301
Sales Price \$ 1,370,000
Replacement Housing N/A

B) a Budget Transfer of \$1,370,000 from Reserves to provide budget for the purchase of property West of Runway 9L at PBIA.

SUMMARY: The above property which falls inside the Runway Protection Zone is being acquired in accordance with Palm Beach International Airport’s approved Master Plan, which recommended the acquisition of property. Countywide (LMB)

4. **Staff recommends motion to receive and file:** one (1) original contract(s)/ agreement(s)/grant(s) for the Department of Airports:

Agreement to Terminate Hangar Lease Agreement for North County General Aviation Airport with Kent Leighton, Hangar Unit No. 7, Building 11200, effective November 30, 2006 (amends R2004-0524).

SUMMARY: Delegation of authority for execution of this standard County agreement above was approved by the BCC pursuant to R2004-1367. Countywide (LMB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated Settlement Offer in the amount of \$10,000 for the full satisfaction of a Code Enforcement Lien that was entered against Clifton Lirette on December 22, 1998. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on October 7, 1998, giving Clifton Lirette until December 6, 1998 to remove the dilapidated mobile homes, inoperative vehicles, trailers, recreational vehicles, trash and debris, and appliances from his property, and cease the sale of mobile homes on the property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Mr. Lirette on December 22, 1998. The cited code violations were fully corrected as of February 15, 2006. The total accumulated lien amount through February 28, 2006, the date settlement discussions began, totaled \$386,153.98, of which Mr. Lirette has agreed to pay the County \$10,000 (2.6%) for full settlement of his outstanding Code Enforcement Lien. District 6 (PM)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 6 to Contract with BRPH Architects-Engineers, Inc. (R2002-1981) in the amount of \$200,000 for programming, schematic design, regulatory approval and permitting services for the Purchasing/Fixed Assets Warehouse at the Operations & Support Center. **SUMMARY:** On November 12, 2002, the Board entered into a contract with BRPH Architects-Engineers, Inc. for professional architectural and engineering services for Phase I of the Operations & Support Center. CSA No. 6 provides for services that develop Phase II consisting of a new warehouse for use by Purchasing and Fixed Assets. The estimated construction cost of the project is \$15M. The M/WBE participation in this CSA is 15%. BRPH has an M/WBE participation goal of 25.8%. Including this CSA, the overall M/WBE participation is 31.8%. A portion of this work was completed prior to this Authorization. (Capital Improvements Division) Countywide (JM)
2. **Staff recommends motion to approve:** Contract with West Construction, Inc. for the construction of upland site improvements at Burt Reynolds Park in the amount of \$2,480,800. **SUMMARY:** This Contract will provide for the construction of a 400 square foot equipment storage building, a 600 square foot restroom building, large group pavilion, four (4) family picnic pavilions, boat trailer and public parking spaces, tot-lot playground, horseshoe pits, grass volleyball court, assorted park amenities and associated site improvements. The SBE goal for this project is 15%. The West Construction, Inc. bid includes participation of 24.1%. The Contract time is 245 calendar days to substantial completion. (Capital Improvements Division) District 1 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** Contract with Rio-Bak Corporation for the construction of Riverbend Park bridge over the Loxahatchee River in the amount of \$1,617,147. **SUMMARY:** This Contract will authorize construction of a vehicular bridge across the Loxahatchee River to allow access to both sides of Riverbend Park from the main entrance off Indiantown Road. The main entrance to the park, and location of the bridge across the Loxahatchee River, were chosen to avoid a historic battlefield of the Second Seminole Indian War. This bridge has been designed so as to minimize impacts on the river and adjacent vegetation. The bridge will also receive architectural treatments, including a stone veneer, to blend in naturally with its surroundings. Construction will include the bridge, approaches, and retaining walls. The Contract duration is 210 days until substantial completion. The SBE goal for this project is 15%. The bid of Rio-Bak Corporation includes 75.3% participation. (Capital Improvements Division) District 1 (JM)
4. **Staff recommends motion to approve:**
- A) Contract with West Construction, Inc. for construction of the PBSO K9 Training Expansion Facility in the amount of \$1,717,040;
- B) Change Order No. 1 with West Construction for required revisions and a voluntary price reduction for a deduct of \$167,040;
- C) Budget Transfer of \$100,000 from reserves in the Public Building Improvement Fund to increase the project budget;
- D) Budget Transfer of \$1,226,000 from reserves in the \$22.4M North County/PBSO Bond Fund to increase the project budget; and
- E) Budget Transfer of \$131,000 from reserves in the \$26.3M CJC Bond Fund to increase the project budget.
- SUMMARY:** This Contract will provide for the construction of a 2,820 square foot expansion to the PBSO K9 Training Facility located on Forest Hill Boulevard and the Florida Turnpike. Change Order No. 1 will add revisions as required by building permit review and to accept a voluntary price reduction by West Construction. Additional funding is necessary due to construction cost escalation not anticipated in the original budget. The SBE goal for this project is 15%. West's bid includes participation at 29.1%. The Contract time is 244 calendar days to substantial completion. (Capital Improvements Division) District 6 (JM)
5. **Staff recommends motion to approve:** Change Order No. 19 to the contract with Catalfumo Construction, Ltd. (R2004-1626) to provide Builder's Risk insurance for Operations & Support Center at Vista Center in the amount of \$143,757.60. **SUMMARY:** This Change Order will provide the required Builder's Risk insurance for the project. At the time of the Guaranteed Maximum Price (GMP) award, PBC Risk Management was in the process of obtaining the Builder's Risk policy for the project, but the effort proved to be too costly. The Construction Manager (CM) was directed to purchase a policy and that policy has been in effect since construction began. This Change Order is for work which has been partially completed prior to Board approval of this Change Order. M/WBE participation for this Authorization is 0%. When added to the Contractor's participation to date, the resulting M/WBE participation is 26.92%. The Contractor's M/WBE contract goal is 15%. (Capital Improvements Division) District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve:

A) Change Order No. 20 to the contract with Catalfumo Construction, Ltd. (R2004-1626) to provide a 12,000 gallon fuel storage tank for the Vehicle Maintenance Facility's emergency generator, in the amount of \$176,457.47;

B) Budget Transfer of \$97,052 from reserves in the Fleet Management Fund to establish a transfer to the Public Building Improvement Fund; and

C) Budget Amendment of \$97,052 in the Public Building Improvement Fund recognizing the transfer from Fleet and increasing the project budget.

SUMMARY: This Change Order will provide the Vehicle Maintenance Facility with a full-load run capacity of 72 hours. The Vehicle Maintenance Facility will be critically important in post-hurricane restoration efforts and a three (3) day emergency fuel supply is appropriate. M/WBE participation for this Change Order is 0%. When added to the Contractor's participation to date, the resulting M/WBE participation is 26.78%. The Contractor's M/WBE contract goal is 15%. (Capital Improvements Division) District 2 (JM)

7. Staff recommends motion to approve:

A) JOC Work Order No. 07-019 with M.A.C. Construction, Inc., (R2005-0537) in the amount of \$271,157.66 to renovate the restrooms at Aqua Crest Pool in Delray Beach; and

B) Budget Transfer of \$160,000 in the \$25M GO 99A Recreation & Cultural Bond Reserves to Aqua Crest Pool Restroom project.

SUMMARY: The work consists of the interior remodeling of the restrooms/locker rooms including replacement of all plumbing fixtures, showers stalls, privacy partitions, sink counters, and mirrors, epoxy floor coating, painting, providing temporary facilities during construction, etc. The SBE participation in this work order is 11.38% overall. When the participation for this Work Order is added to M.A.C.'s total participation to date, the resulting values are 29.1% overall. The goals are 15% overall. The total construction duration is 90 days. This work will comply with all applicable local, state, and federal codes and regulations. The \$160,000 Budget Transfer is necessary to fund the project based on the construction contract award and most recent estimates for other costs. (FD&O Admin) District 7 (JM)

8. Staff recommends motion to approve: a Contract with STH Architectural Group, Inc./Hellmuth, Obata + Kassabaum, Inc. (STH/HOK), for architectural services associated with the Jail Expansion Program in the amount of \$549,027. **SUMMARY:** This Contract will provide for the necessary architectural and engineering services for the Jail expansion projects. The first phase of the STH/HOK services consists of program planning, site master planning, site surveying, and traffic engineering services for the West County project and site master planning for the Stockade facility. Subsequent consultant service authorizations will address design and construction administration services. A portion of the work has been completed prior to Board consideration of this item. The SBE goal for this project is 15%. STH/HOK's initial authorization includes 11%. This goal will be met once the overall project services are authorized. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. **Staff recommends motion to approve:** a First Amendment to Sublease Agreement (R2002-0116) dated January 8, 2002, with Palms West Hospital Limited Partnership for the continued use of 4,050 square feet within the Grove Market Shopping Center located in Royal Palm Beach for \$140,137.50/yr. **SUMMARY:** The Fire Rescue Department currently subleases approximately 4,050 square feet of office space within the Grove Market Shopping Center at 5060 Seminole Pratt Whitney Road in unincorporated Royal Palm Beach for operation of its temporary Fire Rescue Station No. 22. The term of the Sublease Agreement has been extended several times and the current extension period expires on January 7, 2007. Palms West's current lease expires on September 30, 2009 and this First Amendment will extend the term of the Sublease from January 8, 2007, through September 30, 2009. This Amendment designates a new Property Manager, updates Section 15.04 (Notice Provision) and provides Palms West the ability to request a reduction in the space subleased to Fire Rescue by not more than 3,000 square feet to allow Palms West to re-establish a health care or medical-related office. Such reduction will reduce the County's rent and shall not affect Fire Rescue's operations. Fire Rescue has reviewed potential options to reconfigure its space with Palms West and is comfortable that it can accommodate Palms West, if requested. The annual rental rate of \$140,137.50, subject to annual increases of five percent (5%), represents an approximately 23% increase from the current rate, but is equal to the rent paid by Palms West to the owner of the shopping center. The County has the right to terminate the lease at any time with ninety (90) days written notice. All other terms of the Sublease remain unchanged. (PREM) District 6 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** an Agreement with The Salvation Army to provide up to \$22,000 of Community Development Block Grant (CDBG) funds for the period October 1, 2006 to September 30, 2007 to operate the Salvation Army Center of Hope, an emergency shelter/transitional housing facility located at 1577 North Military Trail, West Palm Beach, FL 33409. **SUMMARY:** Palm Beach County received a CDBG entitlement for FY 2006-2007 of \$7,100,250 with program income projected in the amount of \$300,000, for a total of \$7,400,250. In its FY 2006-2007 Action Plan, the Board of County Commissioners allocated CDBG funds for the provision of public services, fair housing activities and activity delivery costs. This Agreement will allocate \$22,000 for the provision of shelter, meals, and appropriate supportive services to 70 homeless individuals per day for a total of 275 unduplicated homeless individuals per year. **These are Federal CDBG funds that require no local match.** Countywide (TKF)
2. **Staff recommends motion to approve:** an Agreement with The Salvation Army in the amount of \$25,000 of FY 2006-2007 Emergency Shelter Grants Program (ESGP) funds for the period October 1, 2006 to September 30, 2007 to provide transitional housing and support services to homeless individuals at The Salvation Army Center of Hope. **SUMMARY:** Palm Beach County will receive a total of \$302,666 in ESGP funds for FY 2006-2007 to assist the homeless and those at risk of homelessness countywide. Funds will be used for the operation and maintenance of emergency shelters and transitional housing facilities, essential services to the homeless, and homeless prevention activities. **This Agreement utilizes Federal funds, and the required match will be met by the agency. No match from County General Fund is required.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution approving the Fifth Amendment to the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) for Fiscal Years 2004-2005; 2005-2006; and 2006-2007 (R2004-0741); and

B) approve a Budget Amendment to provide for an increase of funding of the CAH Purchase Assistance Program from \$2,187,977 to \$4,121,260, for Fiscal Year 2006-2007, as well as a revision to the award level for Special Needs Replacement Housing Program, to increase the maximum award from \$20,000 to \$50,000.

SUMMARY: Palm Beach County receives annual allocations from the State of Florida through the SHIP Program to implement various affordable housing programs and other related activities. For Fiscal Year 2006-2007, Palm Beach County was scheduled to receive \$6,842,196 in SHIP funding. However, Palm Beach County received an additional \$1,933,283 for a total allocation of \$8,775,479. In August of 2005, the CAH Advisory Committee recommended that the additional funds be allocated to the Fiscal Year 2006-2007 Purchase Assistance Program to eligible applicants who are experiencing difficulties in financing the increased construction cost associated with the replacement of their dilapidated homes. To effectively serve the special needs, homeowners whose homes are beyond repair, an increase in the maximum award from \$20,000 to \$50,000 is absolutely imperative. Countywide (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve:

A) a Budget Transfer of \$50,000 in the Transportation Improvement Fund from Reserve for District 2 (\$25,000) and Reserve for District 4 (\$25,000) to TPS Data Base; and

B) a Budget Transfer of \$50,000 in the General Fund from TPS Data Base to PZB Planning-Other Contractual Services for the Greenways and Trails Implementation Strategy for southern Palm Beach County.

SUMMARY: This transfer would fund retaining a consultant to prepare a Greenways and Trails Implementation Strategy for southern Palm Beach County. The funds would be transferred from each of the two (2) districts transportation improvements funds. Districts 2, 3, 4, 5, 6 & 7 (RB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a unit price Contract with Foster Marine Contractors, Inc. for the Water Utilities Department Continuing Construction Contract to install potable water, reclaimed water, and wastewater pipelines over a 12-month term in a cumulative amount not-to-exceed \$8,441,819. **SUMMARY:** On November 8, 2006, two (2) bids were received for the Water Utilities Department Continuing Construction Contract, with Foster Marine Contractors, Inc. being the low bidder in the amount of \$8,441,819. This Contract will be used to expedite utility special assessment projects and other pipeline projects where timing is critical. Contract award is for the base contract only, and the Contract by itself does not guarantee, nor authorize Foster Marine to perform any work. Work will be assigned during the 12-month contract period by formal work authorizations drawn against this Contract, with approvals pursuant to PPM CW-F-050. The unit prices contained in this Contract will be used in determining the cost of work authorizations. Supplements to work authorizations for changes that occur during construction will be subject to the change order limits for construction contracts as established under PPM CW-F-050 with each work authorization considered as an individual construction contract. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with Foster Marine Contractors, Inc. provides for SBE participation of 14.98% overall. (WUD Project No. 06-144) Districts 1, 2, 3, 5 & 6 (JM)
2. **Staff recommends motion to approve:** Change Order No. 2 to the contract with R.J. Sullivan Corp. (R2006-0780) for the Water Treatment Plant No. 8 Expansion Project increasing the contract price by \$145,318.40 and providing a 17-day time extension. **SUMMARY:** Change Order No. 2 authorizes the Contractor to perform various civil, mechanical, and structural improvements for this project and provides the Contractor with additional time. The Contractor will relocate existing piping and electrical duct banks in conflict with the new filter building and water main piping. The Contractor will also construct a containment wall around a chemical tank, furnish and install mechanical adapters and drives, and provide a field office trailer for County staff. Staff recommends a 17-day time extension to the substantial and final completion dates for the proposed improvements. Total change orders to date, excluding the \$1,712,386.46 sales tax recovery program change order, equal \$145,318.40 (0.78% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Change Order includes zero overall SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 27.56% overall. (WUD Project No. 05-146) District 2 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to receive and file:** one (1) Standard Development Renewal Agreement, one (1) Utility Concurrency Reservation Agreement, and one (1) Indemnity Agreement complete with executed documents received during the months of October and November 2006.

Standard Development Renewal Agreement

A) Royal Palm Presbyterian Church, Inc. 05-01040-R00

Utility Concurrency Reservation Agreement

B) CJM Construction of South Florida, Inc. 02-01114-000

Indemnity Agreement

C) PB Plaza, LLC

SUMMARY: The terms and conditions for Standard Development Agreements are outlined in the Water Utilities Department's Uniform Policies and Procedures Manual. The Board of County Commissioners delegated the authority to execute various types of Standard Development Agreements to the Department Director including potable water and wastewater agreements (R93-1619); reclaimed water agreements (R96-0228); and additional conditions for potable water, wastewater, and reclaimed water agreements (R2003-0539). After these agreements are executed by the developer and the Department, they must be recorded by the County Clerk's Office. This agenda item recommends the Board receive and file the agreements so they may be properly recorded. Countywide (SF)

4. **Staff recommends motion to approve:**

A) Change Order No. 1 with John J. Kirlin, Inc. Florida Division for the Northern Region Pumping Facility in the deductive amount of \$1,445,412.56, deleting materials for the purpose of sales tax recovery along with cost saving changes and designating John J. Kirlin, Inc. as the County's agent for the inspection and receipt of the materials and equipment; and

B) Purchase Orders with vendors of the materials and equipment for sales tax recovery in the amount of \$1,363,526.

SUMMARY: On November 21, 2006, the Board awarded a contract with the John J. Kirlin, Inc. (R2006-2470) for the Northern Region Pumping Facility in the amount of \$7,917,000. By approving Change Order No. 1 to this contract, and purchasing the associated materials and equipment directly from the vendors, total sales tax savings of \$81,886.56 can be achieved. John J. Kirlin, Inc. has agreed to serve as the County's agent for the inspection and receipt of the equipment and materials at no additional cost. (WUD Project No. 06-050) District 6 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

A) a waiver of County policy that prohibits the County from paying State costs and attorney's fees in a dispute; and

B) a Sovereign Submerged Lands Easement (Easement) granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for offshore sand borrow area for the Ocean Ridge Shore Protection Project, effective September 19, 2005.

SUMMARY: The first renourishment of the Ocean Ridge Shore Protection Project was completed on December 5, 2005. Use of sand from State waters required an Easement. The Easement is subject to the terms of the Florida Department of Environmental Protection (FDEP) Consolidated Joint Coastal Permit (JCP), which expires September 19, 2015. The Easement requires that the County pay the State costs of dispute resolution or any related attorney's fees. Although this language is not consistent with County policy outlined in Section "Y" of PPM No. CW-F-049, Contract Development and Contract Responsibility, staff recommends that the Board waive this policy and approve this Easement since the project is complete. District 4 (SF)

2. **Staff recommends motion to approve:** a Budget Transfer of \$2,700,000 in the 2001 \$75M Conservation Fund from Reserves to fund land acquisitions in the Cypress Creek Natural Area. **SUMMARY:** This Transfer will provide \$1.2M toward the purchase of the RV Holding property and \$1.5M toward the Jupiter Ranch property for 401 + acres to be added to the Cypress Creek Natural Area. Countywide (SF)

3. Staff recommends motion to:

A) approve a \$75,000 Contract with Bunnell Foundation, Inc. for turnkey services that would include procurement, preparation, towing and scuttling of the *M/V CELTIC CRUSADER* in 200 feet of water immediately north of the Lake Worth Inlet, within ninety (90) days of Contract execution;

B) approve naming the artificial reef created by the scuttled *M/V CELTIC CRUSADER* as the John Rybovich Endowment Reef;

C) adopt a Resolution authorizing the Clerk of the Board to disburse \$70,000 from the Vessel Registration Fee Trust Fund to provide partial funding for this project; and

D) approve a Budget Amendment of \$10,000 in the Environmental Enhancement Saltwater Fund to recognize the contribution received in FY 2006 from the West Palm Beach Fishing Club, including a transfer of \$70,000 from reserves to recognize the disbursement authorized by the above Resolution, and to increase the KDW Classic Reef project budget.

SUMMARY: This \$80,000 project, which is funded by \$70,000 of Vessel Registration fees and a \$10,000 contribution from the West Palm Beach Fishing Club, will result in the scuttling of the 265 foot coastal cargo ship, *M/V CELTIC CRUSADER* to create an artificial reef in approximately 200 feet of water near the Lake Worth Inlet. The West Palm Beach Fishing Club has requested the new reef be named the John Rybovich Endowment Reef. An additional \$5,000 above the Contract price will cover any contingencies that might arise, with any remaining balance returned to reserves when the project is complete. The Purchasing Director approved the sole source acquisition. District 1 (HF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Agreement with Ann Norton Sculpture Gardens, Inc. for the period December 19, 2006, through October 31, 2007, in an amount not-to-exceed \$15,000 for funding of Ann Norton Studio roof repair. **SUMMARY:** This funding is to help offset costs for repair of the Ann Norton Studio roof. The Ann Norton Studio houses Ann Norton's sculptures, tools, and unfinished works of art and also serves as a museum for Ann Norton's sculptures. Approximately 5,000 people visit the Ann Norton Sculpture Gardens each year. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to August 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 2 (AH)

2. **Staff recommends motion to approve:** Agreement with The Children's Coalition, Inc. for the period December 19, 2006, through June 30, 2007, in an amount not-to-exceed \$5,000 for funding of the Believe and Achieve and the Veteran's History projects. **SUMMARY:** This funding is to help offset costs for the Believe and Achieve and Veteran's History projects offered by The Children's Coalition, Inc. These projects serve approximately 100 participants. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to September 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 4 (AH)

3. **Staff recommends motion to receive and file:** the following original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project:

Timber Trace Elementary School, in an amount not-to-exceed \$12,945 for the purchase and installation of playground equipment.

SUMMARY: This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. District 1 (AH)

4. **Staff recommends motion to receive and file:** the following original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project:

Loxahatchee Groves Elementary School, in an amount not-to-exceed \$18,000 for the purchase and installation of a Pre-K special needs playground.

SUMMARY: This fully executed Request for Funding Form is for a School Board RAP allocation made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. District 6 (AH)

5. **Staff recommends motion to receive and file:** the following original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project:

Galaxy Elementary School, in an amount not-to-exceed \$1,200 for their music program.

SUMMARY: This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to receive and file: the following original executed Amendment to Request for Funding Form for School Board Recreation Assistance Program (RAP) project:

West Riviera Magnet School Multi-Cultural Events (R2006-1022) to extend the project completion date from July 31, 2006, to December 31, 2006.

SUMMARY: This fully executed Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747) approved by the Board on October 21, 2003. District 7 (AH)

7. Staff recommends motion to:

A) receive and file Consent and Joinder of Notice of Limitation of Use/Site Dedication from the City of Delray Beach;

B) approve Notice of Limitation of Use/Site Dedication; and

C) approve changing the name of Lake Ida (11th Street) Park to Lakeview Park.

SUMMARY: In 2005, the City of Delray Beach applied for and received a \$200,000 Florida Recreation Development Assistance Program (FRDAP) grant to replace the playground equipment at Lake Ida (11th Street) Park. The FRDAP grant requires the property owner to record a Notice of Limitation of Use restricting the property for public outdoor recreation for a period of 25 years. The City of Delray Beach, as Lessee of Lake Ida (11th Street) Park, is recording a Consent and Joinder of the Notice of Limitation of Use/Site Dedication. The City is also requesting the Board of County Commissioners (Board) approve changing the name of Lake Ida (11th Street) Park to Lakeview Park. District 4 (AH)

8. Staff recommends motion to receive and file: the following original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project:

Alexander W. Dreyfoos, Jr. School of the Arts, in an amount not-to-exceed \$20,000 for the Artist-in-Residence Program.

SUMMARY: This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. District 2 (AH)

9. **Staff recommends motion to approve:** First Amendment to agreement with Special Olympics Florida, Inc., (R2003-1974) allowing for the continued sale of naming rights at the Therapeutic Recreation Complex as part of their fundraising activities. **SUMMARY:** Special Olympics Florida has undertaken an aggressive program to raise funds for the County to construct a gymnasium and athletic center at the new Therapeutic Recreation Complex in John Prince Park. This Amendment provides Special Olympics Florida the opportunity to continue to sell naming rights for the Complex and its associated facilities as part of their fundraising efforts. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

10. Staff recommends motion to:

A) receive and file fully executed Florida Inland Navigation District (FIND) Waterways Assistance Program Grant Agreement for Burt Reynolds Park Phase II Development for the period October 1, 2006, through September 1, 2008; and

B) approve Budget Amendment of \$806,750 within the Park Improvement Fund to establish a budget for the approved grant.

SUMMARY: On May 2, 2006, the Board authorized submission of a Waterways Assistance Program grant application for improvements associated with the redevelopment of Burt Reynolds Park (R2006-0794.) The Board also authorized the County Administrator or his designee to execute the grant Project Agreement (FIND No. PB-06-121) and other grant forms related to this project if the grant was approved. This grant was approved by FIND, and the Project Agreement has been fully executed and is now being submitted to the Board to receive and file. The \$2.9 million Burt Reynolds Park project includes construction of a new restroom, access road, 48 paved car/trailer parking spaces, 18 stabilized grass car/trailer parking spaces, 65 car parking spaces, group picnic pavilion, family picnic shelters, storage building, security lighting, a children's play area, and additional staging docks on the west side of the park. The \$806,750 FIND grant will be matched with funding from the \$50M GO Waterfront Access bond, the Park Improvement Fund, and Park Impact Fees – Zone 1. District 1 (AH)

N. LIBRARY

1. Staff recommends motion to:

A) receive and file three (3) Grant Agreements with Florida Department of State, Division of Library and Information Services for the Community Libraries in Caring (CLIC) Program for each of the Glades libraries; and

B) approve Budget Amendments of \$6,046 for the Belle Glade Branch, \$2,282 for the Loula V. York (Pahokee) Branch, and \$2,282 for the Clarence E. Anthony (South Bay) Branch.

SUMMARY: These grants will assist in funding adult and family literacy collections in the three Glades libraries to assist Spanish speakers in learning English. In addition, materials will be added to a migrant family center in Pahokee and a migrant Headstart Center in Belle Glade, where the Library has established partnerships. The project ending date for each grant is September 30, 2007. No matching funds were required. District 6 (TKF)

3. CONSENT AGENDA APPROVAL

N. LIBRARY (Cont'd)

2. Staff recommends motion to:

A) approve an Application to the Florida Department of State, Division of Library and Information Services for a Library Services and Technology Act (LSTA) Grant of \$10,000 for the Read And Write Around Florida project for FY 2007;

B) authorize the Chairperson to execute the grant agreement and any other necessary forms and certifications; and

C) approve a Budget Amendment of \$10,000 in the Library Service/Tech Fund.

SUMMARY: The State Library has approved PBC Library as one (1) of five (5) Florida libraries to be awarded this grant. It will provide funds to implement Florida Book Discussions for Non-Traditional Populations in conjunction with the State's Florida Memory Project to encourage writing and foster an appreciation of Florida's heritage. The Library will design their program with two (2) components: family literacy for parents and children enrolled in the School District's family literacy program and an adult literacy component to English language learners and basic literacy students. No matching funds are required. Countywide (TKF)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) Budget Transfer of \$126,360 from the Criminal Justice Reserve Fund to establish budget to transfer to the Sheriff's operating budget; and

B) Budget Amendment of \$126,360 in the Sheriff's operating budget to recognize transfer of funds to expand the juvenile bracelet monitoring program.

SUMMARY: On November 13, 2006, the Criminal Justice Commission (CJC) approved the use fo Criminal Justice Reserve Funds to expand from 20 to 40 the present juvenile ankle bracelet monitoring program as an alternative to holding pre-dispositional juveniles in the State Juvenile Detention Center. Countywide (DW)

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve: Fifth Amendment to Statement of Work in contract with CGI-AMS (formerly named American Management Systems, Inc.) (R2002-1782), to extend the ending date of this contract from December 31, 2006 to December 31, 2007, at no additional cost to the County. **SUMMARY:** The Fifth Amendment is for a contract extension to allow additional time for completion of the installation of the Vendor Self Service module. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 3 to the Master Services Agreement (MSA) and Volume & Term Attachment with BellSouth Telecommunications, Inc. to extend this agreement through June 30, 2009. **SUMMARY:** The Master Services Agreement (MSA) and Volume & Term Attachment with BellSouth Telecommunications, Inc. (FL02-C364-00, FL02-C364-10 (R2002-0956), as amended (R2004-1592; R2005-0348)), provides for local telephone and 911 service as well as voice, data and radio circuits (tariffed services) for Palm Beach County and its specified affiliates. This Amendment will extend the current agreement through June 30, 2009 and will also increase the reward percentage on eligible services from 18% to 20%. This increase will produce an estimated annual reward payable to the County during this period of more than \$850,000, an estimated annual increase of \$16,850 over the current reward level. The total annual costs associated with the Agreement are estimated at \$9,600,000. Countywide (PFK)

3. **Staff recommends motion to approve:**
 - A) Supplement to the IBM Corporation Customer Agreement (IBM Master ICA) for the installment purchase of the IBM z9 BC Enterprise processor, disk storage and tape storage systems including installation and maintenance services in the total amount of \$643,765;
 - B) a Budget Amendment of \$478,993 to recognize loan proceeds and to adjust acquisition funding in the Information Technology Capital Improvements Fund; and
 - C) a Budget Amendment of \$107,294 to recognize transfers from the Information Technology Capital Improvements Fund and establish debt service budget in the Information Systems Services Fund.

SUMMARY: This Supplement to the IBM Master ICA (R94-247D) will provide for an adjustment in the enterprise (mainframe) computing capabilities provided for the County. The current enterprise computing equipment has been in use since 2000. The requirements of this computing platform have been steadily reduced, though not eliminated, over the past few years. Because of the decreased demand, the capacity of the system can likewise be downsized. The County still uses the mainframe server for jobs such as the County payroll and human resource systems and other mainframe based applications. The smaller IBM system will significantly reduce the operating costs and computer room resources (power, HVAC, etc.) required to operate this system. Partial funding was approved in the FY 2006 capital project budget in anticipation of this purchase. Countywide (PFK)

4. **Staff recommends motion to approve:** Microsoft Enterprise Agreement with Software House International, Inc. pursuant to the State of Florida Term Contract Number 255-001-01-1 to purchase software and software maintenance in the amount of \$1,052,108 per year for a three (3) year period, effective October 1, 2006. **SUMMARY:** Palm Beach County departments and agencies are migrating to Microsoft Active Directory as the single enterprise directory service and Microsoft Exchange as the single enterprise e-mail environment. This project will require the purchase of several new Microsoft software products. In addition, our licenses for the Microsoft Word office suite will be renewed for the three (3) year period. This strategic direction was presented to and endorsed by the countywide Technology Architecture Committee. Specific rationale for this decision is presented in the business case titled "Microsoft Exchange Migration." An Enterprise Agreement (EA) has been negotiated which will provide for the purchase of the required products and software assurance for a period of three (3) years. There will be an offset of approximately \$100,000 in annual software license maintenance costs that will be saved with the elimination of Novell GroupWise licenses. In addition to the software purchase, ISS has also submitted a separate Board agenda item (3U-5) requesting approval of a Consulting Services Work Order with Microsoft for assistance with the project. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES (Cont'd)

5. Staff recommends motion to:

A) approve Consulting Services Work Order with Microsoft, Inc. pursuant to the Microsoft Services Agreement No. DR-001-FL with the State of Florida, in the amount of \$385,941 to assist the County with the migration to Microsoft Active Directory as the single enterprise directory service and Microsoft Exchange as the single enterprise e-mail environment; and,

B) authorize the County Administrator, or his designee, signature authority for future change orders to the contact up to \$25,000 per occurrence up to a maximum of \$50,000 in total project costs.

SUMMARY: This contract will provide Microsoft consulting services to assist with the consolidation of multiple directory services currently in place throughout the County, including Novell eDirectory Services, NT Domains and Active Directory into a newly created enterprise Microsoft Active Directory. The scope of services will also include Microsoft's assistance with the migration of the existing Novell GroupWise accounts to the Microsoft Microsoft Exchange e-mail environment. These strategies will simplify the County's technology infrastructure, reduce overall system administration costs, upgrade the County's directory and identity management, and improve integration with applications, web services, and mobile computing. The purchase of software required for this project is being presented to the Board in a separate agenda item 3-U-4. Countywide (PFK)

6. Staff recommends motion to:

A) ratify Change Orders No. 152 through 156 (excluding 154 and 155) to the contract with Affiliated Computer Services, Inc. (ACS) (R98-1540D) in the amount of \$76,000 for work being completed by ACS on providing modifications and on-site post-implementation technical support; and

B) receive and file Change Orders No. 150 and 151 providing functionality required for day one implementation at no cost to the County.

SUMMARY: The County completed Phase I implementation of the JIS Adult Criminal and Traffic Systems on October 10, 2006. Change Orders No. 152, 153 and 156 in the cumulative amount of \$76,000 are being completed by ACS to provide on-site post-implementation technical support and modifications for enhanced public access search capabilities. The Change Orders were approved by the JIS Policy Board during their November 9, 2006 meeting. Change Order No. 150, which provides a modification to the Traffic/Disposition process and Change Order No. 151, which provides a modification to the outbound collections process were completed by ACS at no cost to the County. The Change Orders were approved by the JIS Project Manager as authorized under Resolution (R98-1541) and are being presented as a receive and file action. Change Orders No. 154 and 155 were withdrawn. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES (Cont'd)

7. **Staff recommends motion to approve:** an Application Hosting Services Agreement with Alzheimer Community Care, Inc. (ACC) for the use of the County's existing Senior Tracking and Referral System (STARS) in return for an initial setup fee of \$31,125, a training fee not-to-exceed \$5,200 and a monthly application hosting services fee of \$2,105 which will be an ongoing revenue source to the County in the amount of \$25,262 annually. **SUMMARY:** Alzheimer Community Care, Inc., (ACC) a community-based, tax exempt 501(c)(3) not-for-profit corporation in Palm Beach County has expressed interest in entering into an Application Hosting Services Agreement with Information System Services (ISS) in order to utilize the Senior Tracking and Referral System (STARS) to record and track services provided to Alzheimer's clients and care givers. ISS jointly developed STARS with the Senior Services Division of the Community Services Department. ISS will provide a one-time installation of the STARS Application for an initial setup fee of \$31,125 and will host ACC's version of the STARS application and database on an existing enterprise server. The Community Services Department will provide initial training for a fee not-to-exceed \$5,200. Thereafter, the Agreement specifies that ACC will pay the County a monthly application hosting services fee of \$2,105. The Agreement provides for a one (1) year period from November 21, 2006 to November 20, 2007 with perpetual one (1) year automatic renewals unless specifically terminated in writing by either party. This will produce a recurring annual revenue of \$25,262 for each year that the Application Hosting Services Agreement is in effect. Countywide (PFK)

X. PUBLIC SAFETY

1. **Staff recommends motion to:**
- A) receive and file** an original fully executed SARA (Superfund Reauthorization Act, 1986 Title III, Extremely Hazardous Materials Contingency Planning Grant Agreement No. 07CP-11-10-60-01), in the amount of \$22,034 from the Florida Division of Emergency Management for FY 2007; and
- B) approve** a Budget Amendment of \$88 in the EM Grant Fund to adjust grant budget to actual.
- SUMMARY:** The Florida Division of Emergency Management will provide Palm Beach County \$22,034 for the Palm Beach County Division of Emergency Management's SARA Title III Hazards Analysis Program. The Division will conduct site visits of facilities that store hazardous materials. This information will provide first responders information with their emergency planning. Facility information, Risk Analysis, Vulnerability Analysis, and Vulnerability Zone information is shared with hazardous materials (HazMat) teams, and first responding public safety agencies. Agenda Item 3X3 of February 28, 2006 gave authority to the County Administrator or his designee, to execute these agreements on behalf of the Board. No County match is required. Countywide (DW)
2. **Staff recommends motion to receive and file:** standard Agreement with the School Board of Palm Beach County which provides for a comprehensive system of care to meet the educational, mental, and social needs of the residents of the Highridge Family Center for the period July 1, 2006, through June 30, 2007. **SUMMARY:** The Board authorized the County Administrator or his designee to execute these standard agreements on June 5, 2001, Agenda Item No. 3X2. Countywide (DW)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. **Staff recommends motion to adopt:** a Resolution approving a grant application (FL-18-X026) with the Florida Department of Transportation (FDOT) to provide operating funding for mass transit in the amount of \$182,652 of Federal funds passed through the State for the Lakes Region of Palm Beach County for FY 2007. **SUMMARY:** FDOT has notified us that the tentative allocation of Section 5311 funds for Palm Beach County is \$182,652 for non-urbanized areas for mass transit in the Lakes Region of Palm Beach County. The operating costs of mass transit to the Lakes Region include operating, maintenance, and administrative costs. This is the maximum amount of FDOT operating assistance available to Palm Beach County for FY2007 for mass transit services. The grant application for \$365,304 requires 50% local match (\$182,652 State, \$182,652 local funds). Palm Beach County provides the local funding from the local option gas tax. Grant and match are included in the FY 2007 budget. District 6 (DR)

2. **Staff recommends motion to:**

A) approve the Federal FY 2007 Certifications and Assurances to be used in connection with all Federal assistance programs Federal Transit Administration (FTA) administers during Federal Fiscal Year 2007, as required by 49 U.S.C. 5323(n); and

B) authorize Palm Tran's Executive Director and Assistant Executive Director, through the County Administrator, to execute and file the required certifications and assurances, on behalf of the Board of County Commissioners and to electronically transmit the Board's approval.

SUMMARY: Selecting and submitting certifications and assurances to FTA, either through FTA's Transportation Electronic Award and Management (TEAM) system or submission of the Signature Page, signifies the County's intent to comply with the requirements of those certifications and assurances to the extent they apply to a program for which the County submits an application for assistance in Federal Fiscal Year 2007. FTA requires a current (Federal Fiscal Year 2007) attorney's affirmation of the applicant's legal authority to certify compliance with the funding obligations in this document; the attorney's signature from a previous year is not acceptable.

Before FTA may award a Federal grant or cooperative agreement, the applicant must provide to FTA all certifications and assurances pertaining to itself or its project as required by Federal laws and regulations. The requisite certifications and assurances must be submitted to FTA irrespective of whether the project is financed under the authority of 49 U.S.C. Chapter 53, or Title 23, United States Code, or another Federal statute. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. **Staff recommends motion to approve:** special bus route service to the 2007 South Florida Fair for the period January 12 through January 28, 2007. **SUMMARY:** The South Florida Fair has requested that Palm Tran provide bus service to transport passengers to the 2007 Fair. Services would include: 1) an express route operating on Saturdays and Sundays from Palm Beach Central High School to the Fair; 2) a route from the Mangonia Park Tri-Rail Station to the Fair on Monday, January 15, Martin Luther King Jr. Day; and 3) operating route service on six (6) weekdays, especially designed to transport senior citizens from pre-designated origins to and from the Fair. The South Florida Fair has agreed to help Palm Tran cover the cost of the service by subsidizing Palm Tran from riders on the above services (at a cost equal to the normal \$3 one-day pass for each passenger boarding) as well as by providing substantial marketing for these services. Palm Tran is afforded a prime location at the Fair. This has proved invaluable in marketing Palm Tran services to the fair attendees. Staff recommends that Palm Tran provide this service as a way to promote usage of Palm Tran's regular fixed route services to new passengers. Any potential excess cost would be absorbed through the existing Palm Tran budget. The anticipated costs are summarized on Attachment A "Proposed 2007 Fair Schedule and Cost Estimate" of the Agenda Item. Countywide (DR)

BB. SHERIFF

1. **Staff recommends motion to approve:** a Budget Transfer of \$25,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office for donations to support the drug abuse prevention/education efforts of a local non-profit organization. **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug abuse education, drug prevention, crime prevention, and safe neighborhood initiatives. The PBSO's FY 2007 estimated donation requirement is \$173,914.93. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$198,240. The Sheriff's Office certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a spreadsheet indicating the organization that the PBSO seeks to fund and the corresponding amount of funding proposed. Countywide (DW)

<u>Organization</u>	<u>Amount</u>
Faith, Hope, Love, Charity, Inc.	\$25,000

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) accept an Agreement with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to provide \$698,600 in reimbursable funding for various direct law enforcement oriented domestic security activities, and \$985,887 in reimbursable funding for Regional Security Projects, effective until January 31, 2008; and

B) approve a Budget Amendment of \$1,684,487 in the Sheriff's Grant Fund to recognize the grant award.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. The total funds provided to Palm Beach County agencies by the UASI (\$2,383,087) represents 24 % of the total Ft. Lauderdale UASI grant (\$9,980,000), and will be used to support and strengthen the County's ability to plan for, and respond to, acts of terrorism. The UASI awarded \$698,600 to the County, which will be used to fund fire, health, emergency management, and other approved anti-terrorism activities. The Sheriff's Office received an equivalent award of \$698,600 to fund direct law enforcement activities, and an award of \$985,887 to fund the Regional Security Projects. Future funding will be determined based on a competitive need process. No County match is required. Countywide (DW)

3. Staff recommends motion to approve: a Budget Amendment of \$3,390,000 in the General Fund for law enforcement services provided through contractual agreements by the Palm Beach County Sheriff's Office to the City of Belle Glade for the period of October 1, 2006, through September 30, 2007. **SUMMARY:** The Budget Amendment is requested to provide law enforcement services as prescribed within the existing contractual agreement between the Palm Beach County Sheriff's Office and the City of Belle Glade. The level of service to be provided includes one (1) Captain, one (1) Lieutenant, six (6) Sergeants, thirty (30) Deputy Sheriffs, eleven (11) School Crossing Guards, seven (7) Communication Officers and five (5) Office Assistants. As funding will be generated through the existing contractual agreements, no County funds are required. District 6 (DW)

4. Staff recommends motion to approve: a Budget Amendment of \$668,998 in the General Fund for additional law enforcement services provided by the Palm Beach County Sheriff's Office to the Village of Wellington for the period October 1, 2006, through September 30, 2007. **SUMMARY:** The Budget Amendment includes the cost for an additional six (6) Deputies and eight (8) School Crossing Guards as set forth within the existing contract between the Palm Beach County Sheriff's Office and the Village of Wellington, effective October 1, 2006. District 6 (DW)

5. Staff recommends motion to approve: a Budget Amendment of \$5,613,148 in the General Fund for law enforcement services provided through a contractual agreement by the Palm Beach County Sheriff's Office to the Village of Royal Palm Beach for the period of October 1, 2006, through September 30, 2007. **SUMMARY:** The Budget Amendment is requested to provide law enforcement services as prescribed within a contractual agreement between the Palm Beach County Sheriff's Office and the Village of Royal Palm Beach. The level of service to be provided includes (105) positions, comprised of (49) non-sworn and (56) sworn officers. As funding will be generated through a contractual agreement, no County funds are required. District 6 (DW)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDITOR

- 1. **Staff recommends motion to approve:** an Amendment to the agreement with Cass, Levy and Leone, L.C. to provide fraud examination services relative to Discover Palm Beach County increasing the contract amount from \$20,000 to \$45,000. **SUMMARY:** The accounting firm of Cass, Levy and Leone was retained to investigate the fraud at Discover Palm Beach County. The Board approved the agreement on November 21, 2006 with a preliminary cost estimate of \$20,000. The accounting firm has been conducting their investigation and has requested an additional \$25,000 to complete their work. Countywide (PFK)

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4. PUBLIC HEARINGS - 9:30 A.M. (Motion to receive and file: Proof of publication)

- A. Staff recommends motion to approve: the issuance of a “Special Secondary Service Provider” Certificate of Public Convenience and Necessity (COPCN) to Security Services of America LLC, Elite Protection Services, a private security provider agency, to allow the agency to provide Advanced Life Support Service (ALS) first response, non-transport services to the private gated community of Admiral’s Cove. **SUMMARY:** Security Services of America LLC, Elite Protections Services (Elite) provides Security Service to the private gated community of Admiral’s Cove. The residents of Admiral’s Cove wish to have Elite provide Advanced Life Support first response, non-transport EMS services as part of their security services. The County Emergency Medical Services Office, the Emergency Medical Services Advisory Council, and Palm Beach County Fire Rescue have reviewed the application and recommend the approval of a Special Secondary Service Provider - Non-Transport COPCN be issued to Elite for operation restricted to the confines of the community of Admiral’s Cove. District 1 (DW)
- B. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 13, Article II, Division 3 of the Palm Beach County Code, known as the “Palm Beach County Fire Rescue Emergency Transport Fee Ordinance”; providing for an increase in emergency transport fees; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The proposed Ordinance amendment provides for an increase in the emergency transport fee schedule as follows:

Effective Date	Basic Life Support (BLS)	Advanced Life Support-1 (ALS1)	Advanced Life Support-2 (ALS2)	Mileage
January 1, 2007	\$450.00	\$450.00	\$610.00	\$ 8.00
January 1, 2008	\$470.00	\$470.00	\$630.00	\$ 8.50
January 1, 2009	\$490.00	\$490.00	\$650.00	\$ 9.00
January 1, 2010	\$510.00	\$510.00	\$670.00	\$ 9.50
January 1, 2011	\$530.00	\$530.00	\$690.00	\$10.00

Establishing these new rates will ensure that Fire Rescue continues to receive the Medicare maximum allowance for ground transportation services. These rates are to be effective January 1, 2007. These fees were last increased on April 1, 2004. The proposed rates are also comparable to other billing agencies within the County. Countywide (SGB)

- C. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 17, Article II, Occupational License Taxes; changing the term “occupational license tax “ to “business tax”; defining the term “receipt” as it relates to business taxes; amending provisions to conform; providing for repeal of laws in conflict ; providing for savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** On December 5, 2006, the Board of County Commissioners approved on preliminary reading and granted permission to advertise for Public Hearing an amendment to the Occupational License Taxes Ordinance. Amendment to the Ordinance will reflect terminology consistent with the Laws of Florida, which have renamed the “Local Ordinance License Tax Act” to the “Local Business Tax Act”. Effective January 1, 2007, local governments will levy a “local business tax” and will issue business tax receipts, as opposed to issuing an occupational license. Countywide (RB)

5. REGULAR AGENDA

A. ADMINISTRATION

TIME CERTAIN - 11:00 A.M.

1. Welcome to the Honorable Countess Eva Kendeffy, Consulate General of Germany who is visiting Palm Beach County to become familiar with the broad array of business opportunities available in our County and to Gary Schumann, Director of International Business Development, Enterprise Florida. The World Trade Center of Palm Beach is hosting the FAM Tour.

2. Staff recommends motion to:

A) receive and file an update by consultants Herb Marlowe and Larry Arrington on the development of a Glades regional economic development entity called the Lake Okeechobee Regional Economic (LORE) Alliance of Palm Beach County, Inc.;

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, recognizing the establishment of a Glades regional economic entity called the Lake Okeechobee Regional Economic (LORE) Alliance of Palm Beach County, Inc.; and

C) appoint the County Administrator or his designee and a citizen representative from the unincorporated Glades area to serve on the LORE Alliance.

SUMMARY: The LORE is a community-based economic development organization whose mission is to promote quality economic development by supporting high quality design and facilitating efficient and timely new development or redevelopment in the Cities of Belle Glade, Pahokee, South Bay and the unincorporated Glades area such as Canal Point. The LORE is made up of 21 representatives from the local citizenry, local governments and non-profits. Representatives from professional associations such as architecture, landscape architecture, development, engineering, finance, legal, etc will also be added to the Board. The adoption of this Resolution will provide support for the establishment of the coordinated regional economic entity, Lake Okeechobee Regional Economic (LORE) Alliance of Palm Beach County, Inc., serving as a point of contact for promoting high quality design and support services to Glades stakeholders. Resolutions were approved by each of the three (3) cities. The County Administrator or his designee and a citizen representative will serve on the LORE Alliance for a period of three (3) years starting January 1, 2007 to December 31, 2009. District 6 (DW)

5. REGULAR AGENDA

B. ENGINEERING

1. Staff recommends motion to:

A) consider options and provide Board direction regarding funding and various policy issues for the Municipal Services Taxing Unit (MSTU), and also the direction for the MSTU Program; and

B) refer back to staff or adopt the recommended listing of the Municipal Service Taxing Unit (MSTU) projects to be accomplished with the current funds available.

SUMMARY: County staff came before the Board at the April 25, 2006 workshop meeting, and identified for the Board the multi-million dollar shortfall facing the MSTU program. Prior to this, meetings were held to discuss the future of the MSTU Program with related County Departments that interact with the MSTU projects and funds to accomplish their objective. These groups include Planning Zoning and Building (PZ&B), Office of Community Revitalization (OCR), Housing & Community Development (HCD), Commission on Affordable Housing (CAH), and the Water Utilities Department (WUD). The strong consensus of the group was that the MSTU Program should receive new funding on an on-going basis. The recommendation was to provide \$5,000,000 per year for the next three (3) years to cover the shortfalls and increasing construction prices. These additional funds would be for the regular MSTU project , plus the proposed MSTU projects. There would also have been additional funding for other projects that may be the result of policy direction from this Board. While the Board put \$3,000,000 in the Program at that time, no on-going committed funding was identified. This issue is further discussed later. Countywide (PFK)

C. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on January 9, 2007 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be known as the Graffiti Ordinance; providing for application; providing for definitions; providing for prohibition of graffiti and penalties; providing for removal of graffiti; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The proposed Ordinance prohibits graffiti and provides for penalties if the graffiti is not removed in a timely manner. Unincorporated (GB)

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6. BOARD APPOINTMENTS

A. COMMUNITY SERVICES
(Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council)

1. Staff recommends motion to approve: reappointments and appointments of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of two (2) years, effective December 19, 2006:

Seat No.	Reappointment	Seat Requirement
7	Rose Joseph	Social Service Provider
22	Cecil Smith	Community
39	William Albury	State Medicaid Agency
25	Shirley Samples	Community
45	David Begley	Representative of Incarcerated Persons Living with HIV/AIDS

Seat No.	Appointment	Seat Requirement
1	Nicholas Potochny	Health Care Provider
2	Lorenzo Robertson	Community Based Organization serving affected populations
17	Stephanie Millken	Community
4	Yvette Martinez	Community
26	Jessica Beane	Community

SUMMARY: The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than 45 and no less than 21 members. Founding members were appointed for one (1) and two (2) year terms with subsequent terms of two (2) years. The HIV CARE Council Nominations Process is an open process with publicized criteria and legislatively defined conflict of interest standards. The five (5) reappointments and five (5) new appointments successfully completed the HIV CARE Council Nominations process, and the HIV CARE Council has recommended their reappointment/appointment. (Ryan White) Countywide (TKF)

6. BOARD APPOINTMENTS

B. ADMINISTRATION
(Workforce Alliance)

1. Staff recommends motion to approve: reappointment of twelve (12) board members and appointment of two (2) new members as replacements, for the period of February 1, 2007 to January 31, 2010 and two (2) new members as replacements for December 1, 2006 to January 31, 2010 as follows:

Nominee/ Reappointment	Seat No.	Term	Area of Representation	Position/Employer	Nominated By
Gaetana Ebbole	29	2/1/07 through 1/31/10	Public Sector	CEO Children Services Council	Children Services Council
Patrick Franklin	12	2/1/07 through 1/31/10	Community Based Organization	President Urban League of the Palm Beaches	Urban League of the Palm Beaches
Kathleen Casey Steinbacher	37	2/1/07 through 1/31/10	Private Sector	President/CEO North Palm Beach Chamber of Commerce	North Palm Beach Chamber of Commerce
Priscilla Taylor	8	2/1/07 through 1/31/10	Public Sector - Economic Development	Florida House of Representatives	Economic Council of the Palm Beaches
James Titcomb	38	2/1/07 through 1/31/10	Private Sector	Executive Director Palm Beach County League of Cities	Palm Beach County League of Cities
Alfred Zucaro		2/1/07 through 1/31/10	Private Sector	Chairman, World Trade Center, Palm Beach	World Trade Center
Roger Amidon	36	2/1/07 through 1/31/10	Private Sector – Economic Development	General Manager, PGA Marriott Hotel	Business Development Board
Edward Sabin	4	2/1/07 through 1/31/10	Private Sector	Vice President, 3i (Implant, Innovations, Inc.)	3i (Implants, Innovation, Inc.)
Dennis Gallon, Phd.	3	2/1/07	Community College	President, Palm Beach Community College	Palm Beach Community College
Arthur Johnson, Phd.	2	2/1/07 through 1/31/10	School District – Superintendent of Schools	Superintendent, School District of Palm Beach County	School Board of Palm Beach County
Richard Slaymaker	14	2/1/07 through 1/31/10	Organized Labor IBEW	Business Agent, IBEW Local #728	Palm Beach- Treasure Coast AFL- CIO
Marvin Tanck	10	2/1/07 through 1/31/20	Community-Based Disability Organization	CEO/President	Gulfstream Goodwill Industries
Nominee/ Appointment					
Ben F. Shirley, Jr.	5	12/1/06 Through 1/31/10	Public Assistance Agency	District Administrator, Department of Children & Family	Florida Department of Children & Families
Lynn Robertia		12/1/06 through 1/31/10	Organized Labor, CWA 3112	President of Communications	Palm Beach- Treasure Coast AFL- CIO
Dr. Melody Sanger	7	2/1/07 Through 1/31/10	Private Sector	Drug Study Institute	Business Development Board
Elena Contreras	31	2/1/07 Through 1/31/10	Private Sector	Fidelity Federal Bank & Trust	Hispanic Chamber of Commerce

SUMMARY: The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO’s or highest level of management positions for both community and business sector appointments. Countywide (TKF)

C. COMMISSION DISTRICT APPOINTMENTS

DECEMBER 19, 2006

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR

C. District 3 - COMMISSIONER WARREN H. NEWELL

D. District 4 - COMMISSIONER MARY MCCARTY

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER ADDIE L. GREENE, CHAIRPERSON

9. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 19, 2006

PAGE	ITEM	
14	3H-8	DELETED: Staff recommends motion to approve: a Contract with STH Architectural Group, Inc./Hellmuth, Obata + Kassabaum, Inc. (STH/HOK), for architectural services associated with the Jail Expansion Program in the amount of \$549,027. (Further staff review) (FD&O)
18	3K-4	DELETED: Staff recommends motion to approve: A) Change Order No. 1 with John J. Kirlin, Inc. Florida Division for the Northern Region Pumping Facility in the deductive amount of \$1,445,412.56, deleting materials for the purpose of sales tax recovery along with cost saving changes and designating John J. Kirlin, Inc. as the County's agent for the inspection and receipt of the materials and equipment; and ... (Further staff review) (WUD)
21	3M-9	DELETED: Staff recommends motion to approve: First Amendment to agreement with Special Olympics Florida, Inc., (R2003-1974) allowing for the continued sale of naming rights at the Therapeutic Recreation Complex as part of their fund-raising activities. (Further staff review) (Parks & Recreation)
32	5A-2	REVISED TITLE: Staff recommends motion to: A) ...; B) ... C) appoint the County Administrator or his designee and a citizen representative from the unincorporated Glades area to serve on the LORE Alliance <u>and authorize a District 6 appointment seat.</u>
32	5A-3	ADD-ON: Staff requests Board direction regarding: A) provision of tourism related services including the structure of the Tourist Development Council, Discover Palm Beach County (CVB), Film and TV Commission, Sports Commission and Cultural Council; B) use of bed tax funds to compensate a search firm for the purpose of filling the CEO/President of the CVB; C) use of bed tax funds incurred as a result of activities associated with the theft of funds at the CVB, the Fraud Audit performed by Cass, Levy and Leone, L.C., and the audit performed by the Clerk of Courts, and D) use of bed tax funds for legal bills associated with the recovery of funds from the CVB's bonding company and other potentially responsible entities. SUMMARY: On December 5, 2006, the BCC directed staff to agenda an item to discuss the structure of the TDC and all related agencies. Recently the CVB was defrauded out of approximately \$1.5 million over an estimated three (3) year period. In order to determine the extent of the fraud, the Internal Auditor contracted with Cass, Levy and Leone, L.C. to provide fraud examination services. This audit is anticipated to be completed by the end of the month. In addition, the Clerk of Courts performed a separate audit focused on internal controls and management review. The results of this audit were released on December 14, 2006. <u>Countywide</u> (MC)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).